

Message Text

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ACTION AF-07

INFO OCT-01 ISO-00 SCS-03 SCA-01 SY-04 L-02 CIAE-00 INR-05

NSAE-00 RSC-01 EB-07 FAA-00 DOTE-00 NASA-01 OC-01

CCO-00 /033 W

----- 069289

P R 211425Z NOV 74

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC PRIORITY 6729

INFO AMEMBASSY JOHANNESBURG

AMCONSUL CAPE TOWN

AMEMBASSY PRETORIA

C O N F I D E N T I A L TANANARIVE 1820

E.O. 11652: GDS

TAGS: PFIN, MA, US

SUBJECT: STANLEY BOOKER AND AGM PLANE THEFT

CAPE TOWN FOR EMBASSY

REF: PRETORIA 4949

1. GOMR GENDARMERIE OFFICIAL TOLD EMBOFF NOV 20 THAT
MANAGER HILTON HOTEL TANANARIVE HAD RECEIVED TELEPHONE
CALL NOV 18 FROM BOOKER WHO SAID HE WAS CALLING FROM
JO'BURG AND WANTED TO KNOW IF BILL PRESENTED HIM BY
HOTEL NOV 11 ACCURATE. DURING CONVERSATION BOOKER
ASKED IF ANY OTHERS HAD PROBLEMS BECAUSE OF THEFT AND
IF THERE HAD BEEN MUCH PUBLICITY. HILTON MANAGER
REPLIED YES ON BOTH COUNTS AND ASKED HOW BOOKER HAD
BEEN ABLE TO STEAL PLANE. BOOKER REPORTEDLY JUST
LAUGHED AND ENDED CALL.

2. POLICE ADVISED THAT BOOKER HAD SENT CABLE TO FRESNO,
CALIFORNIA FROM TANANARIVE IN FORM OF CONFUCIAN PARABLE
THAT POLICE SUSPECT WAS CODED MESSAGE ADVISING OF HIS
DEPARTURE. EMBASSY RECORDS INDICATE THAT COMPANY THAT
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ORIGINALLY LEASED PLANE TO AGM IS BASED IN FRESNO

(LAMBE PIPER SALE BOX 3438, FRESNO, CALIF). FRESNO IS ALSO BOOKER'S STATESIDE ADDRESS.

3. CHARGE AGAIN CALLED IN BY SEC GEN MOFA TO DISCUSS PLANE PROBLEM LATE NOV 20. NOTE HANDED TO CHARGE REPEATED HILTON MANAGER'S STORY ADDING ONLY THAT BOOKER NOW SAID HE REPRESENTED CHASE MANHATTAN BANK. MOFA ASKED FOR FURTHER U.S. ASSISTANCE. CABLE NOT MENTIONED. PERTINENT TEXT OF MOFA NOTE IS AS FOLLOWS: "... PLACING ITS RELIANCE ON EXCELLENT COOPERATION WHICH HAS ALWAYS EXISTED BETWEEN U.S. AND MALAGASY AUTHORITIES CONCERNING THIS UNFORTUNATE AFFAIR, MINISTRY HOPES EMBASSY WILL NOT FAIL TO IMMEDIATELY REFER MATTER TO APPROPRIATE U.S. AUTHORITIES, SO THAT IN LIGHT OF ABOVE NEW INFORMATION, THEY MAY EITHER INFLUENCE SOUTH AFRICAN OR OTHER AUTHORITIES TO ACT, OR TAKE MEASURES NECESSARY IN U.S. TO PERMIT QUICK ARREST OF MALEFACTOR AND RECOVERY OF PLANE FOR MALAGASY GOVERNMENT."

4. EMBASSY HAS, OF COURSE, SOUGHT TO BE AS COOPERATIVE AS POSSIBLE WITH GOMR IN PROVIDING INFORMATION, PARTICULARLY IN VIEW OF INVOLVEMENT OF TWO NASA EMPLOYEES. THAT GOMR DOES NOT HAVE FULL APPRECIATION OF LEGAL QUESTIONS INVOLVED OR HAVE PATIENCE TO DISCUSS THEM WAS MADE CLEAR IN LATEST SESSION AT MOFA. WHEN CHARGE NOTED THAT TO HIS KNOWLEDGE CHASE MANHATTAN BANK NOT ONE OF CREDITORS HAVING CLAIM TO PLANE, BUT ORIGINAL OWNERSHIP OF PLANE UNCLEAR AS EVIDENCED BY COMPLEXITY OF GOMR BANKRUPTCY PROCEEDINGS, MOFA OFFICIAL SHOT BACK, "GOMR CONSIDERS THIS THEFT," AND ENUMERATED LIST OF IMMIGRATION AND FLIGHT CLEARANCE REGULATIONS BOOKER VIOLATED.

5. CERTAINLY, MAJOR ELEMENT IN GOMR REACTIONS HERE IS LOSS OF FACE INVOLVED. SEVERAL DIPLOMATIC COLLEAGUES HAVE EXPRESSED PRIVATELY THEIR ADMIRATION FOR PILOT'S DARING. SIMILAR SENTIMENTS PROBABLY SHARED BY SOME MALAGASY AND, ASSUMING SUCH COMMENTS GET BACK TO GOMR, MUST ONLY SERVE TO HEIGHTEN THEIR IRRITATION.

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6. EMBASSY WISHES TO CONTINUE TO BE COOPERATIVE WITH GOMR BUT THEY DO NOT APPEAR LIKELY TO ACCEPT LEGAL PZNS TRAI NTS ON ACTIONS USG CAN TAKE. EMBASSY WOULD AGREE WITH SAG (REFTEL) THAT GROUNDS FOR HOLDING PLANE OR PILOT DOUBTFUL. SAME PRESUMABLY TRUE ELSEWHERE INCLUDING U.S. EMBASSY WOULD PROPOSE PASSING GOMR ROUTINELY ANY INFO CONCERNING PLANES OWNERSHIP DEPARTMENT

MAY BE ABLE TO OBTAIN, AND IF BOOKER AND PLANE IN SOUTH AFRICA, TO TELL THEM SAG DOES NOT BELIEVE GROUNDS TO HOLD PLANE EXIST -- WITHOUT GOING INTO U.S. LEGAL POSITION FOR MOMENT. GOMR ARDOR SHOULD GRADUALLY COOL.

7. IF FUTURE CIRCUMSTANCES DICTATE THAT USG LEGAL POSITION ON CASE BE EXPLAINED TO GOMR, EMBASSY BELIEVES IT WOULD BE ADVANTAGEOUS TO SHIFT SCENE OF MAJOR US-GOMR DISCUSSION FROM HERE TO WASHINGTON. DISCUSSIONS BETWEEN MALAGASY AMBASSADOR AND DEPARTMENT WOULD BE CONDUCTED IN ATMOSPHERE THAT WOULD PROBABLY BE MORE CALM, AMBASSADOR IS PROMINENT JURIST, AND DEPT CAN PROVIDE HIM AUTHORATIVE EXPLANATIONS OF LEGAL COMPLEXITIES OF CASE FIRST-HAND. EMBASSY WOULD EXPECT TO CONTINUE TO PASS BASICALLY SAME INFORMATION GIVEN MALAGASY AMBASSADOR TO MOFA BUT BELIEVES INPUTS COMING TO MOFA THROUGH THEIR AMBASSADOR WOULD BE HELPFUL.

8. EMBASSY RECEIVED COPY OF LETTER TO LOCAL LAWYER FROM BOOKER AFTER COB THIS P.M., POSTMARKED JO'BURG NOV 19, EXPLAINING HIS ACTIONS. MUCH OF PRECEDING OVERTAKEN BY EXPLANATIONS IN LETTER. OUR SINGLE C&R MAN NEEDS SOME REST. WILL FURNISH DETAILS TOMORROW.
ELFERS

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